

A provisional obviousness-type double patenting rejection is raised to claim 1 relative to co-pending Application No. 10/853,922.

New claims 13 and 14 have been added.

Informal Comments

While it may not be relevant to the instant Office Action, Applicant's review of the PAIR File History reveals several likely errors which are called to the Examiner's attention:

"Information Disclosure Statement considered" on 9/2/04 and 8/27/04 may be incorrect dates since the IDS was dated 10/05 by the Examiner.

Oath or Declaration Filed 08/07/04 may be an incorrect date since the application was not filed until 08/27/04.

SPECIFICATION

The title and the Abstract are amended to reflect the effect of the restriction requirement, which eliminates the method claims.

CLAIMS

Claim 1 is amended to correct an editing error by deleting the double word "comprising".

Claims 6-12 are cancelled in accordance with the restriction requirement.

New claims 13-14 are added to claim the moisture resistant coating on the substrate.

DISCUSSION

Provisional Obviousness-type Double Patenting Rejection

The provisional obviousness-type double patenting rejection raised to claim 1 relative to co-pending Application No. 10/853,922 is addressed by filing a terminal disclaimer.

Product-by-Process Claim 1 Process Limitation

The Examiner states at page 3 of the Office Action, that "Regarding the recitation of the process limitation 'ion beam assisted deposition,' this limitation is being given no patentable weight, since an invention recited in a product-by-process claim is a product and not a process. The method by which a claimed product may be made is not germane to patentability of the claimed product unless applicant demonstrates that the recited process step produces a material different product. In the present case, no such evidence has been adduced." Applicant

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